

New Hampshire Public Utilities Commission  
Generic Investigation Into Utility Poles  
Docket No. DM 05-172  
Commission Staff's Sixth Set of Data Requests  
Responses of Unitil Energy Systems, Inc.

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**Request No. Staff 6-1:**

Electrics & VZ - Provide copies of any pole attachment application forms used by your company, as well as examples of form letters, license forms and other processing documents used by your company and a prospective Third Party Attacher regarding survey responses and make ready work (either sample or redacted actual) not already provided under Staff 1-22 and Staff 4-6.

**Response:** See Attachment UES-Staff 6-1.

**Person Responsible:** Raymond A. Letourneau, Jr.    **Date:** August 25, 2006

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**Request No. Staff 6-2:**

**Electrics & VZ – Please provide a copy of all initial inquiries for attachments on jointly or solely owned poles made in the past six months for the following:**

- a) CLECs
- b) CATV
- c) Municipalities
- d) Unregulated affiliates
- e) Other private party attachers

**Response:** See Attachment UES-Staff 6-2.

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**Request No. Staff 6-3:**

Electrics & VZ - For each initial inquiry in the previous question, provide the following information in tabular format:

- a) The date of the request
- b) the disposition of the request
- c) the date of response to the requesting party
- d) the date the final attachments were completed

**Response:** See Attachment. UES-Staff 6-3.

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**Request No. Staff 6-4:**

Electrics & VZ - Describe the manner in which concurrent or overlapping applications for attachment to the same poles by more than one requester are treated.

- a) Are applications handled on a first in/first out basis throughout the survey and make-ready process, using the application date?
- b) Are applications re-ordered at any time in the process? If so, please describe what criteria are used to re-order applications.
- c) Describe all approaches that are applied in prioritizing applications from multiple applicants for attachments to the same poles.
- d) For each prioritization procedure identified, describe the measures that are in place to ensure the applications stay in the initial priority assigned.

**Response:**

- a) Generally yes with three exceptions: 1) when the efficiencies of field representatives are compromised; 2) in the event that reconstruction is necessary which would cause significant efforts in estimating and completing the make ready work; and 3) if the applicant has a significant outstanding balance for attachment fees or make-ready work. It should be noted that it is the responsibility of the applicant to contact UES to coordinate a field survey. This contact may establish the order in which the applications are processed. Additionally, pursuant to our Pole Attachment Agreements, the licensee agrees to designate a desired priority of completion of the pre-construction survey and make-ready work for each application relative to all other of its applications on file with Licensor at the same time.
- b) See discussion under (a), above.
- c) To the best of our knowledge, this set of circumstances has not occurred within the UES service territory. However UES's standard Pole Attachment Agreement contains language that states these applications shall be processed together and simultaneously

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for the benefit of all applicants

- d) The measures to ensure the proper prioritization are left up to the field representatives to manage and organize their work.

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**Request No. Staff 6-5:**

**Electrics & VZ - For a 36-month period, ending with the most recent data available in 2006, please provide by month the number of applications for attachment received in New Hampshire, segregated into the following categories:**

- a) CLECs
- b) CATV
- c) Municipalities
- d) Unregulated affiliates
- e) Other private party attachers

**Response:** See Attachment UES-Staff 6-5.

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**Request No. Staff 6-6:**

**Electrics & VZ -** For the information provided in Question 6-5, please provide the following additional data:

- a) Both arithmetic mean and median number of days from the submission of an attachment application to a survey response (either license issuance or notification to the applicant of make-ready requirements).
- b) In cases where make-ready is required, the arithmetic mean and median amount of days from the applicant's approval of and payment for make-ready work to actual completion of make-ready work and license issuance.

**Response:**

UES does not maintain this specific data as part of its normal course of business.

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**Request No. Staff 6-7:**

**Electrics & VZ - Provide, in tabular format, for poles jointly or solely owned, or solely or jointly used, by your company in past ten calendar years from 1996 to 2005 inclusive:**

- a) the number of CLECs applying to attach
- b) the number of denials for pole attachments

**Response:**

- a) See Attachment UES-Staff 6-7.
- b) None

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**Request No. Staff 6-8:**

Electrics & VZ - For each denial listed in 6-7(b), please provide a summary of the nature of each denial, and the final disposition of the request.

**Response**

There were no denials.

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**Request No. Staff 6-9:**

Electrics & VZ - Please affirm that your company's written policy governing Third Party Attachment requests and responses is the same written policy provided under Staff 4-6 and Staff 4-9 in a response to questions about municipal attachments. If not, please provide a copy of the written policy your company follows when evaluating and responding to Third Party Attachment requests.

**Response**

As stated in Staff 4-6 and Staff 4-9, UES does not have formal written procedures or agreements in place with the municipalities. Generally speaking, when properly notified, the process of evaluating and responding to Third Party Attachment and Municipality attachments are very similar. It should be noted that the Third Party Agreements entered into with telecommunication companies contain guidelines on evaluating and responding to requests. These agreements do not exist between UES and municipalities.

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**Request No. Staff 6-10:**

Electrics & VZ - Does your company require advance payment from prospective attachers for survey and/or make-ready work?

- a) If so, please describe the reason for requiring advance payment, and the methodology used for the determination of the advance payment amount.
- b) If advance payment is required, please describe whether or not your company reconciles advance payments with actual expenses and whether or not supplemental bills or refunds (as applicable) are sent to prospective attachers.
- c) If a reconciliation of expenses is performed and bills or refunds are sent to prospective attachers, what is the time period for completing this process following completion of the survey or make-ready work?

**Response**

For the majority of our field survey work (new pole lines or minimum poles involved) we do not require advance payment. For all make-ready work we do require advance payment.

- a) It is UES's policy to acquire advance payment for most billable work in order to avoid performing work and subsequently not receiving payment. Advanced payments are additionally required by the Pole Attachment Agreements. The method used to determine the advance payment for survey work is as follows: The Field Survey rate includes the estimated or actual hourly rate of the Field Representative including related benefits, plus vehicle costs per hour, total increased by 10% for Administration costs and increased by the Allowed Rate of Return. The method used to determine the advance payment for make-ready work is as follows: Labor, material, and contractor services are estimated and inserted into an "estimating model" data base which calculates costs based on recent applicable rates for each unit of measure.
- b) UES reconciles the charges associated with make ready work and credits or bills the applicant the difference between the estimated and

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actual amounts. The charges associated with survey work are based on a flat hourly rate which is updated on an annual basis.

- c) Survey work is billed on a quarterly basis and make-ready work is reconciled and billed within 120 days of the actual completion of the work.

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**Request No. Staff 6-11:**

Electrics & VZ – When make-ready work is required for Third Party Attachment to a pole, is the prospective attacher charged only for the alterations necessary to accommodate the new attachment?

- a) In the event that a surveyed pole (as is) is not code-compliant, who is assessed the cost of the repair work to bring the pole into compliance?
- b) To whom are charges assessed in the event that a pole must be altered and/or replaced regardless of the prospective attachment?

**Response**

The prospective attacher would only pay for the alterations necessary to accommodate the new attachment.

- a) If a surveyed pole were not code-compliant, the pole owner or owners would bear the cost to bring the pole into compliance.
- b) If the alterations and/or replacement are required without regard to the prospective attachment, the pole owners would bear the cost; if they are required as a result of the prospective attachment, the attacher would bear the cost.

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**Request No. Staff 6-13:**

Electrics & VZ - Are survey and/or make-ready charges for new attachments the same for all entities that seek to attach, or do they vary? If there are variations, please explain any differences.

**Response**

They vary depending upon which UES Operating Center (Seacoast or Capital) the request originates from. This is primarily due to different overhead costs and traffic control rates. The charges applied are the same for all entities within each Operating Center.

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**Request No. Staff 6-14:**

Electrics & VZ – Does your company charge the same annual rental rates for all entities who wish to attach to poles jointly or solely owned, or jointly or solely used? If not, please explain the differences in charges

**Response:**

Unitil Energy Systems, Inc. charges attaching entities two different types of rates, depending on the type of service the attaching entity provides. The Telecommunications Act of 1996 provides two distinct formulas for calculating pole attachments. One formula is used for customers who provide cable services only. The other is for customers who solely provide, or provide with cable, telecommunications service.

Within each of these two calculations, the rates may vary by customer. The cable only formula includes a use ratio component, which may be different for each customer depending upon the poles they are attached to. The telecommunications service formula includes a use ratio, usable space, and unusable space components which may differ by customer depending upon the poles they are attached to.

**Person Responsible:** Linda McNamara

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**Request No. Staff 6-15:**

Electrics & VZ – Do you allow temporary attachments by licensees when make-ready work is delayed and permanent attachments cannot be made or for any other reason?

**Response:**

No. We would not allow a temporary attachment until the pole could be reconfigured to accommodate the new attachment.

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**Request No. Staff 6-16:**

Electrics & VZ – Do you use or allow pole boxing, defined as the placing of cable plant in the communications space on both sides of a pole, as part of your construction practices?

**Response:**

In our agreements with licensees, there are no references to boxing in of poles. However this practice is allowed via our Intercompany Operating Procedures with Verizon whereby it states this practice will be kept to a minimum. This matter is more of a work practice issue between the various telecommunication companies as it does not impede or interfere with the electric utility work or safety practices.

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**Request No. Staff 6-17:**

Electrics & VZ – If pole boxing is an accepted practice, do you allow licensees to use it?

**Response:**

We would not prohibit boxing by licensees, but it is preferable to minimize the practice.

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**Request No. Staff 6-20:**

Electrics - Describe your policy concerning the allowance of (a) All Dielectric Self Supporting (ADSS) fiber cable competitively deployed within the space ordinarily reserved for electric power lines; (b) competitive attachment to low-voltage sole-owned transmission lines; and (c) competitive attachment to high-tension lines.

**Response:**

UES does not have a policy concerning these matters. Furthermore, we have not received any requests for such allowances.

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**Request No. Staff 6-21:**

Electrics & VZ - Regarding the order of attachments on poles:

- a) What is the order of attachments in the telecommunications space from the top down?
- b) Is it the same on all poles?
- c) If not, what determines the order for any given pole?

**Response:**

- a) Typically the order is as follows; municipalities; telecommunication service providers (if present); cable TV; and then Verizon NH.
- b) Normally, yes however there may be occasions in the field that we are unaware of that it is different than listed.
- c) See response to (b) above.

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**Request No. Staff 6-22:**

Electrics & VZ - Define "make-ready" work in reference to Third Party Attachments.

**Response:**

UES has two (2) definitions for "make ready" with respect to Third Party Attachments. However, for practical purposes, the definitions are interpreted and implemented in the same manner. There are two definitions due to the two Operating Centers (Capital and Seacoast) having slightly different language in their respective Pole Attachment Agreements. In the past, these Operating Centers were separate companies.

Seacoast - Make-ready work is defined as all work, including, but not limited to rearrangement and/or transfer of existing facilities, replacement of a pole or any other changes required to accommodate the attachment of licensee's facilities to a pole or anchor.

Capital - The work required (rearrangement and/or transfer of existing facilities on a pole, replacement of pole or any other changes) to accommodate the Licensee's attachments on Licensor's pole.

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**Request No. Staff 6-23:**

Electrics & VZ - Describe the survey process and what occurs between the time of application and the creation of a survey response.

**Response:**

Below is an overview regarding the steps involved with this process:

1. Receipt of Application
2. Assign an internal job number and create a folder.
3. Provide documents and application to Field Representative.
4. The Field Representative conducts a field survey if needed.
5. If applicable, the necessary make-ready work is estimated and the actual survey time is recorded.
6. If applicable, a "Make-Ready Estimate Form" is sent to the applicant providing the estimated costs for make-ready.
7. The survey time is sent to our Plant Accounting Department to consolidate with other survey time in order to prepare quarterly invoicing.
8. Upon receipt of the estimated make-ready work, the actual line work is placed into our schedules, unless we are waiting for Verizon to replace poles.
9. Shortly after the field work has been completed the license is approved and sent back to the applicant.

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**Request No. Staff 6-24:**

Electrics & VZ - Please describe the number, location and type of personnel in your company assigned to work on Third-Party Attachment applications, surveys, engineering, make-ready and related issues for poles located in New Hampshire. Describe the training and professional qualifications of said personnel, including any certifications or licenses required or maintained. Additionally, describe the qualifications of the personnel involved in the survey and make-ready process.

**Response:**

UES and Unitil Service Corporation have up to eight people involved with Third-Party Attachment applications, located at our Capital Operating Center in Concord, our Seacoast Operating Center in Kensington, or our corporate headquarters in Hampton. The personnel involved are Plant Records (administrative), Line Supervisory staff, and Plant Accounting. Training and background depends upon the individuals within these positions; however, all are qualified and capable of performing their specific roles for their respective process. The personnel involved in the survey and make-ready process are experienced in line work and line construction practices.

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**Request No. Staff 6-25:**

Electrics & VZ - Does your company utilize independent sub-contractors for any portion of the Third Party Attachment process in New Hampshire, or have you done so in the past? If so, please describe in detail the sub-contractors used, their tasks, and their qualifications.

**Response:**

Yes. UES has utilized line sub-contractors in the past to perform the actual make ready work. Below is a list of sub-contractors that we have utilized for either pole setting, transfer work, and other associated make-ready work. UES requires that all line sub-contractors have applicable training and qualifications according to OSHA standards.

List of line sub-contractors:

Utility Service and Assistance

I.C. Reed & Sons, Inc.

Hi Volt Line Construction

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**Request No. Staff 6-26:**

Electrics & VZ - Describe the manner in which you track Third Party Attachments placed upon poles in New Hampshire. Provide copies of reports from your records for sample poles containing at least a CATV and two Third Party Attachments (pole location and attachments' names may be redacted) that demonstrate your company's internal record-keeping for tracking pending and granted licenses.

**Response:** See Attachment UES-Staff 6-26.

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**Request No. Staff 6-27:**

**Electrics & VZ - Describe the processes that exist to resolve attachment disputes with Third Party Attachers. To the extent that processes exist, describe those used to resolve attachment disputes between two third party attachers.**

**Response:**

The current Pole Attachment Agreements with Third Party Attachers include provisions for dispute resolution. See the attached excerpt (Attachment UES-Staff 6-27) from a current Agreement.

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**Request No. Staff 6-29:**

Electrics & VZ – When doing a survey on existing poles for new attachments:

- a) Will you replace a pole on which insufficient space exists to allow an attachment with a pole tall enough to accommodate an applicant's facilities?
- b) In general, do you find that a majority of your existing poles are capable of accommodating additional telecommunications attachments without needing replacement?
- c) Please describe any circumstances when a pole attacher will be told that the owners cannot make a space on a given pole, or replace that pole, to accommodate the attacher's equipment.

**Response:**

- a) Yes.
- b) Yes.
- c) When such conditions might cause safety concerns or electric code violations.

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**Request No. Staff 6-30:**

Electrics & VZ - What is your policy or practice for removing equipment that is no longer needed from poles? Please provide any written policy or guidelines.

**Response:**

It is our practice to remove any equipment that is no longer needed. UES does not have any written policy or guideline on this matter.

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**Request No. Staff 6-33:**

Electrics & VZ - Does Verizon Wireless own poles jointly or solely in the State of New Hampshire? If so, please provide a summary of all poles owned by Verizon Wireless in the State, based on size and class and reconciled to the total number of poles.

**Response:**

We do not have any joint ownership agreements with, and are not aware of any solely own poles of, Verizon Wireless within our service territory.

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